

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|--------------------|---|-------------------|
| JAMES BETHEL, |) | 4:16CV3009 |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | MEMORANDUM |
| |) | AND ORDER |
| STATE OF NEBRASKA, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court on a Notice of Appeal (Filing No. [7](#)) and Motion for Leave to Appeal in Forma Pauperis (Filing No. [8](#)) filed in this case on February 10, 2015. Neither document was signed by Plaintiff James Bethel. Rather, the documents were signed by someone identifying himself as “Aaron agent man, sine prejudicium.” This is a problem for two reasons.

First, [Federal Rule of Civil Procedure 11\(a\)](#) requires that all pro se parties to a case sign every pleading, written motion, and other paper that they submit to the court. Rule 11(a) helps to ensure that pro se parties consent to the filing of documents on their behalf. See [United States v. Brenton, No. 8:04CR262, 2007 WL 3124539, at *1-2 \(D. Neb. Oct. 23, 2007\)](#) (discussing [Johnson v. O'Donnell, No. 01-C-0257-C, 2001 WL 34372892 \(W.D. Wis. Aug 24, 2001\)](#)).

Second, it is improper for a non-lawyer to sign papers in place of, or to otherwise represent, parties other than themselves. See *id.* at *1 (citing 5A C. Wright & A. Miller, [Federal Practice and Procedure § 1333](#), at 513 & n.15 (2004)).

IT IS THEREFORE ORDERED that:

1. James Bethel's Notice of Appeal is deficient and the court will not act on it. The clerk of the court will not process the appeal to the Eighth Circuit Court of Appeals until this deficiency is cured.

2. The Motion for Leave to Appeal in Forma Pauperis, signed by "Aaron agent man, sine prejudicium" (Filing No. [8](#)), is denied.

DATED this 19th day of February, 2016.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge